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International Business Machines Corporation

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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

12 RSI CORP., dba RESPONSIVE SYSTEMS
COMPANY, a New Jersey corporation,

13 Plaintiff,

14 vs.

15 INTERNATIONAL BUSINESS MACHINES
16 CORPORATION; and DOES DEFENDANTS
1-20,

17 Defendants.

CASE NO. 5:08-cv-3414 RMW (PVT)

AMENDED

**[PROPOSED] ORDER ON
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL:**

**CONFIDENTIAL IBM INFORMATION
IN RSI'S OPPOSITION TO IBM'S THIRD
MOTION FOR SUMMARY JUDGMENT**

Complaint Date: February 15, 2008

Trial Date: March 18, 2013

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21 This amends the previous sealing order, Dkt. No. 392.

22 Plaintiff has submitted an administrative request to seal portions of its Opposition to
23 IBM's Third Motion for Summary Judgment (Dkt. # 283). The request is made on the basis that
24 the material sought to be sealed reflect information designated by Defendant International
25 Business Machines Corporation as Protected Material pursuant to the Stipulated Protective Order
26 entered on September 23, 2010 (Dkt. #91).

Pursuant to Civ. L. R. 79-5(d), Defendant IBM has submitted a declaration establishing that portions of RSI's Opposition to IBM's Third Motion for Summary Judgment and associated papers (Dkt. # 278 through Dkt. #281), contain sealable information.

Good cause appearing, the Court **GRANTS** ~~IBM's~~ ^{RSI's} Motion for Administrative Relief To Dkt. No. 283, as to the documents listed below File Under Seal and **ORDERS** that the following portions of the Motion to Strike be filed under seal:

Document to Seal	Portions Accepted Under Seal
RSI's Opposition to IBM's Third Motion for Summary Judgment (Dkt. # 278)	Portions of 11:15 and 11:16
Declaration of Martin Hubel (Dkt. # 279)	Portions of 3:5-6 and 3:25-26
Hubel Declaration Ex. A	Portions of ¶¶ 44, 53-57, 107, 110-11, 113-14
Hubel Declaration Ex. B	The entirety of the document
Hubel Declaration Ex. C	The entirety of the document
Hubel Declaration Ex. D	The entirety of the document
Hubel Declaration Ex. E	The entirety of the document
Hubel Declaration Ex. F	The entirety of the document
Hubel Declaration Ex. G	The entirety of the document
Hubel Declaration Ex. H	The entirety of the document
Hubel Declaration Ex. I	The entirety of the document
Hubel Declaration Ex. J	The entirety of the document
Hubel Declaration Ex. K	The entirety of the document
Hubel Declaration Ex. L	The entirety of the document
Hubel Declaration Ex. M	The entirety of the document
Hubel Declaration Ex. N	The entirety of the document
Hubel Declaration Ex. O	The entirety of the document
Declaration of Pamela Schultz (Dkt. #281)	Portions of 6:7
Schultz Declaration Ex. A	The entirety of the document
Schultz Declaration Ex. C	The entirety of the document
Schultz Declaration Ex. D	The entirety of the document

The court denies RSI's motion to seal, Dkt. No. 283, as to the other documents.

DATED: April 17, 2013

The Honorable Ronald M. Whyte
United States District Judge